

Remarks:

Amendment to the Abstract

Amendments to the Abstract are made above, without the addition of new matter, that bring the word count to fewer than 150 words.

Claim Rejections under 35 U.S.C. §103(a)

Claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chappell¹ in view of Kekic² and in further view of Anderson³. Regarding claims 1, 6 and 11, the Action states that Chappell fails to disclose warning interface logic for generating a channel percent advisory upon the occurrence of an advisory event within the channel level or the generation of a channel critical alarm indicator upon the occurrence of a critical channel event. The Action further asserts, however, that it would have been obvious to modify the invention of Chappell with the teachings of Kekic and the teachings of Anderson to derive the presently claimed invention. Applicants respectfully traverse this rejection.

Claims 1, 6 and 11 have been amended to clarify that the *channel percent advisory indicator* and *channel critical alarm indicator* that are generated *upon an occurrence of an advisory event in a channel associated therewith* are the results of measurements taken during *automated channel testing* (e.g., the "automated quick scan", "performance testing", etc. as described in the instant specification.) Chappell's testing of a CATV system is not automated in a sense that the testing is the direct result of a field technician request for ingress testing. The presently claimed invention assists in automatically generating percent advisory and critical alarm indicators during the execution of channel test plans automatically generated and run based on user inputs. Support for these amendments is found in several locations in the specification. The specification explains that the controller is configured to

¹ U.S. Patent No.6,425,132, issued 23 July 2002 to Chappell

² U.S. Patent No. 6,272,537, issued 07 August 2001 to Kekic, *et al.*

³ U.S. Patent No. 5,850,388, issued 15 December 1998

enable *creation of* and display of the channel plan and test plan based upon user inputs.⁴ The specification states that "channel plan 56 encompasses all the expected values for all the services operating on a given node and all the information necessary to configure analyzer tests automatically."⁵ The advantageousness of the system is described with respect to the challenge presented in configuring correctly the ingress measurements of the spectrum analyzer 12, "...control process software 26 takes care of the details regarding configuring each measurement. By configuring the various measurement parameters for the analyzer 12 from the channel plan 56, the control process software 26 ensures that the measurements are taken accurately and consistently."⁶

Neither of the Kekic and Anderson references teaches use of *warning interface logic for automated channel testing* of a network that would entail *automatically* taking measurements of *nodes each having a number of channels* through the use of a spectrum analyzer. Rather, they are directed to analyzing and managing computer network elements employing heterogeneous protocols. The references lack teaching or suggestion how one could extend the general protocol management teachings of Kekic and Anderson to the multi-channel nodes (*e.g.*, such as in a CATV network) as recited in amended claims 1, 6 and 11. Thus, Applicants respectfully assert that the references are not properly combinable simply because they all, in remotely related ways, involve testing the performance of computers in a network.

Regarding claims 2-5, 7-10 and 12-15, each of these claims through dependency from one of independent claims 1, 6 or 11 includes the limitations of an *interface for monitoring a plurality of nodes each having a number of channels and generating during automated channel testing* the relevant indicators on a display device. The failure of the cited references to teach or suggest these limitations, either alone or in combination, is discussed above, said discussion similarly relevant to claims 2-5, 7-10 and 12-15.

⁴Specification page 4, ll. 9-19

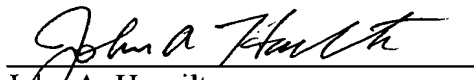
⁵ Specification, page 19, ll. 23-25

⁶ Specification, page 20, ll. 3-8

For at least these reasons, Applicants respectfully submit that the above amendments and remarks clearly establish the patentability of pending claims 1-15, as amended, over the prior art of record. Favorable consideration and allowance of the pending claims are earnestly solicited. A telephone interview is respectfully requested by Applicants' attorney upon review of the instant amendment/reply by the examiner, who is invited to contact Applicants' attorney at 617-854-4000.

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